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PATENTS

Rev. 04/03  
For Other than A Small Entity

Docket No. VOS-12 CON

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Examiner : Cynthia E. Collins  
Application No.: 09/558,284 Confirmation No. 8936  
Filed : April 25, 2000  
For : 2-DEOXYGLUCOSE-6-PHOSPHATE (2-DOG-6-P)  
PHOSPHATASE DNA SEQUENCES AS SELECTION MARKER  
IN PLANTS

MAIL STOP RCE  
Hon. Commissioner for Patents  
Alexandria, Virginia 22313-1450

New York, New York  
December 22, 2003

TRANSMITTAL LETTER FOR  
REQUEST FOR CONTINUED EXAMINATION

Sir:

Enclosed herewith is a request for continued examination under 37 C.F.R. § 1.114, of pending prior Application No. 09/558,284, filed on April 25, 2000 for 2-DEOXYGLUCOSE-6-PHOSPHATE (2-DOG-6-P) PHOSPHATASE DNA SEQUENCES AS SELECTION MARKER IN PLANTS.

1. ☒ Please enter the Amendment Pursuant to 37 C.F.R. § 1.116 filed on December 18, 2003 in Application No. 09/558,284.

2. ☐ A Preliminary Amendment is enclosed.

3. ☐ A Request for Small Entity Status under 37 C.F.R. § 1.27;  
☐ A Verified Statement to Establish Small Entity Status under 37 C.F.R. §§ 1.9 and 1.27 ☐ is enclosed, ☐ was filed in the application and such status is still proper and desired (37 C.F.R. § 1.28(a)).

4. ☒ The filing fee is calculated below:

	CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NUMBER PREVIOUSLY PAID FOR	EXTRA	PRESENT RATE	ADDITIONAL FEES
BASIC FILING FEE						\$ 770.00
TOTAL CLAIMS	20	-	36*	=	0 X \$18	= \$ 0
INDEPENDENT CLAIMS	2	-	19**	=	0 X \$86	= \$ 0
FIRST PRESENTATION OF A MULTIPLE DEPENDENT CLAIM					+ \$290=	\$ 0.00

\* If less than 20, insert 20.

\*\* If less than 3, insert 3.

TOTAL \$770.00

6. ☒ A check in the amount of \$770.00 in payment of the filing fee is enclosed.
7. ☐ Please charge \$\_\_\_\_.00 to Deposit Account No. 06-1075 in payment of the filing fee. A duplicate copy of this Request is enclosed.
8. ☒ The Commissioner is hereby authorized to charge payment of any additional filing fees required under 37 C.F.R. § 1.16, or to credit any overpayment of same, to Deposit Account No. 06-1075. A duplicate copy of this Request is enclosed.

9. ☒ The power of attorney in Application No. 09/558,284 is to:  
James F. Haley, Jr., Esq., Reg. No. 27,794  
Hope Liebke, Reg. No. 35,588  
Jane T. Gunnison, Reg. No. 38,479  
Barbara A. Ruskin, Reg. No. 39,350  
Li Su, Reg. No. 45,141

9a. ☐ The power appears in the original papers in Application No. \_\_\_\_\_.

9b. ☐ Because the power does not appear in the original papers, a copy of the power in the prior application is enclosed.

9c. ☐ Because the undersigned's power does not appear in the original papers, a copy of the undersigned's power in the prior application is enclosed.

9d. ☒ The power appears in Application No. 09/558,284.

10. ☒ Address all future communications to:

James F. Haley, Esq.  
Reg. No. 27,794  
Fish & Neave  
1251 Avenue of the Americas  
New York, New York 10020-1104  
Tel.: (212) 596-9000

11. ☐ Please grant a ☐ one-month, ☐ two-month, ☐ three-month, ☐ four-month, ☐ five-month, extension of time under 37 C.F.R. § 1.136(a) to the Office Action of \_\_\_\_\_ in Application No. \_\_\_\_\_, filed \_\_\_\_\_ so that this Request will be filed while that application is still pending.

12. A Notice of Appeal was filed on May 20, 2003. A Supplemental Amendment and Reply to Office Action was filed on November 20, 2003. A Second Supplemental Amendment and Reply to Office Action was filed on December 18, 2003. The extension of time under 37 C.F.R. § 1.136(a) to submit a Reply to the November 20, 2002 Final Office Action in Application No. 09/558,284, filed April 25, 2000 within the fifth month was petitioned and paid for on November 20, 2003 and December 18, 2003. Therefore, this Request is filed while that application is still pending.

12. ☐ A check in the amount of \$\_\_\_\_\_ in payment of the extension-of-time fee is enclosed.

13. ☒ The Director is hereby authorized to charge payment of any additional extension-of-time fees required under 37 C.F.R. § 1.17 in connection with this paper, or to credit any overpayment of same, to Deposit Account No. 06-1075. A duplicate copy of this Request is enclosed.

15. ☐ Please charge the extension-of-time fee of \$\_\_\_\_\_.00 to Deposit Account No. 06-1075. A duplicate copy of this Request is enclosed.

December 22, 2003

(Date)



James F. Haley, Jr.  
Registration No. 27,794  
Jane T. Gunnison  
Registration No. 43,803  
Attorneys for Applicant  
Li Su  
Registration No. 45,141  
Agent for Applicants  
Attorney or agent of record  
Filed under § 1.34(a)

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PATENTS  
VOS-12 CON

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Uwe Sonnewald et al.  
For : 2-DEOXYGLUCOSE-6-PHOSPHATE (2-DOG-6-P) PHOSPHATASE DNA SEQUENCES AS SELECTION MARKER IN PLANTS

New York, New York 10020  
December 22, 2003

Mail Stop RCE  
Hon. Commissioner for Patents  
Alexandria, Virginia 22313-1450

EXPRESS MAIL CERTIFICATION

Express Mail Label No.: EV 270259883 US

Date of Deposit: December 22, 2003

I hereby certify that this certification and the following papers and fees:

1. Transmittal Letter for Request for Continued Examination (in duplicate);
2. Check for \$770.00 for fee;

are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. § 1.10 on the date indicated above and are addressed to Mail Stop RCE, Hon. Commissioner for Patents, Alexandria, Virginia 22313-1450.

  
Name: Lillian Garcia